

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

<p>WILLIAM CHASE WOOD, et al., Plaintiffs,</p> <p>vs.</p> <p>WORLD WIDE ASSOCIATION OF SPECIALTY PROGRAMS AND SCHOOLS, INC., et al., Defendants.</p>	<p>MEMORANDUM DECISION AND ORDER DENYING PLAINTIFFS' MOTION TO INCORPORATE BY REFERENCE SPECIFIC STATEMENTS OF FACT INTO THEIR COMPLAINT</p> <p>Case No. 2:06-CV-708 TS</p>
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Plaintiffs seek leave to incorporate by reference into their Complaint several statements of fact. As requested by Plaintiffs, different statements would relate to each Plaintiff and Defendant. Plaintiffs acknowledge that Defendants are entitled to greater detail regarding Plaintiffs' allegations, but contend that to do so in a complaint in this case would render the pleadings too long because there are so many parties. In addition Plaintiffs contend that incorporation by reference would allow allegations of sexual abuse to be omitted from the public record. Although Plaintiffs seek to incorporate statements

of facts by reference, they are not attached to any pleading and are, in fact, not yet even prepared. Defendants oppose the request.

Rule 10 of the Federal Rules of Civil Procedure provides: "Statements in a pleading may be adopted by reference in a different part of the same pleading or in another pleading or in any motion. A copy of any written instrument which is an exhibit to a pleading is a part thereof for all purposes."¹

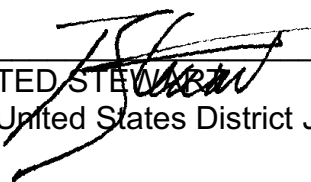
There is no provision in the Rules for incorporation of statements or material into a complaint by reference unless they are either contained in a pleading or attached as an exhibit to a pleading.

It is therefore

ORDERED that Plaintiffs' Motion to Incorporate by Reference Specific Statements of Fact into Their Complaint (Docket No. 84) is DENIED.

DATED February 22, 2007.

BY THE COURT:



TED STEWART
United States District Judge

¹Fed. R. Civ. P. 10(c).